

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ROBERT L. DUNLAP,)	
)	
Plaintiff)	
)	
v.)	No. 3:05-cv-276
)	
BARBARA KELLY, <i>et al.</i> ,)	
)	
Defendants)	

MEMORANDUM AND ORDER

No objection being filed, and this court being in agreement with the United States magistrate judge, his report and recommendation [Court File #4] is hereby ACCEPTED IN WHOLE. Accordingly, the complaint is DISMISSED under 28 U.S.C. § 1915(e) for failure to state a federal claim upon which relief can be granted, but without prejudice to the plaintiff's right to refile in this court or in state court. Plaintiff's apparent amended complaint [Court File #5] also fails to state a claim upon which relief can be granted. Accordingly, the Clerk is DIRECTED to close this case.

ENTER :

s/ James H. Jarvis
UNITED STATES DISTRICT JUDGE